

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**JEFFERY GERMANY and
NATALIE GERMANY**

PLAINTIFFS

v.

CAUSE NO. 3:24-cv-674-KHJ-MTP

**RANKIN COUNTY SHERIFF'S DEPARTMENT
And JOHN DOES 1-10**

DEFENDANTS

MOTION FOR JUDGMENT ON THE PLEADINGS

COMES NOW Defendant Rankin County Sheriff's Department ("RCSD"), by and through counsel, and moves this Court for judgment on the pleadings by stating as follows:

- 1) The allegations in Plaintiffs' [1] Complaint are false and directly disputed by Jeffery Germany's deposition testimony and video evidence.
- 2) RCSD is not a political subdivision and is not amenable to suit.
- 3) Plaintiffs have failed to plead a facially plausible *Monell* claim against this Defendant.
- 4) Plaintiffs cannot recover punitive damages from this Defendant under § 1983 as a matter of law.
- 5) This Defendant is entitled to § 1988 fees from Plaintiffs due to the frivolous, unreasonable, and/or groundless allegations in the [1] Complaint.
- 6) Based on the facts, legal precedent, and analysis in its accompanying Memorandum of Authorities, RCSD respectfully requests that all claims against it be dismissed and that it be awarded § 1988 fees in its favor.

7) This Defendant relies upon and submits the following exhibits in support of its instant motion:

- a. **Exhibit 1** – Complaint;
- b. **Exhibit 2** – Deposition of Jeffery Germany; and
- c. **Exhibit 3** – BWC Video of Jeffery Germany’s Arrest (Filed Conventionally).

WHEREFORE, PREMISES CONSIDERED, Rankin County Sheriff’s Department prays that this Court grant its instant motion, dismiss any and all claims against it, and award it \$ 1988 fees as proven by proper submission.

RESPECTFULLY SUBMITTED, this 22nd day of April, 2025.

**RANKIN COUNTY SHERIFF’S DEPARTMENT –
DEFENDANT**

BY: /s/ Jason E. Dare
JASON E. DARE

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